

A. Alexander Gorman, Esq.  
LAW OFFICES OF GORMAN & GAVRAS  
A Professional Corporation  
2<sup>ND</sup> Floor, J & R Building  
208 Route 4  
Hagatna, Guam 96910  
Telephone: 472-2302  
Facsimile: 472-2342

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DISTRICT COURT OF GUAM  
SEP 21 2004  
MARY L. M. MORAN  
CLERK OF COURT

Attorneys for Plaintiff  
DAVID J. LUBOFSKY

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IN THE U.S. DISTRICT COURT

OF GUAM

DAVID J. LUBOFSKY,

CIVIL CASE NO. 04-00031

Plaintiff,

vs.

GOVERNMENT OF GUAM; GOVERNMENT  
OF GUAM RETIREMENT FUND

PLAINTIFF'S MOTION TO  
CONTINUE SCHEDULING  
CONFERENCE AND STATUS  
REPORT PURSUANT TO  
LR 16.1(e)

Defendants.

COMES NOW, Plaintiff DAVID J. LUBOFSKY, by and through his counsel of record, and requests a continuance of the Scheduling Conference currently set for September 23, 2004 at 3:00 pm, and provides the Court a status report pursuant to Local Rule 16.1(e) as follows:

**MOTION TO CONTINUE SCHEDULING CONFERENCE AND STATUS REPORT**

Plaintiff respectfully requests that the Scheduling Conference currently set for September 23, 2004 at 3:00 pm be continued as the Defendants have not yet been served. Plaintiff is attempting to settle this matter with the Defendants in the near future. Plaintiff has a hearing this Friday, September 24, 2004 at the Government of Guam Retirement Fund regarding his medical disability retirement application.

**Lubofsky v. Government of Guam, CIV 04-00031**  
**Motion for Continuance and Status Report**  
**September 20, 2004**

Depending on the outcome of same, the above-captioned matter may be able to be settled. Plaintiff intends to serve the Defendants next week if the matter cannot be resolved.

**CONCLUSION**

Based on all of the foregoing, Plaintiff DAVID J. LUBOFSKY respectfully requests this honorable Court to continue the Scheduling Conference currently set for September 23, 2004 at 3:00 pm for an additional 45 days from the aforementioned date.

Respectfully Submitted,

LAW OFFICES OF GORMAN & GAVRAS

Date: September 20, 2004

BY:   
A. ALEXANDER GORMAN, ESQ.  
Attorneys for Plaintiff  
DAVID J. LUBOFSKY